

Amendment No. 1 to HB3125

Coleman  
Signature of Sponsor

**AMEND Senate Bill No. 3012\***

**House Bill No. 3125**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1305, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Section 39-17-1321, is amended by adding the following new subsection (b) and by redesignating accordingly:

(b) It is an offense for a person to possess a firearm if the person is both:

(1) Within the confines of an establishment open to the public where liquor, wine or other alcoholic beverages, as defined in § 57-3-101(a)(1)(A), or beer, as defined in § 57-6-102(1), are served for consumption on the premises; and

(2) Consuming any alcoholic beverage listed in subdivision (1) of this subsection (b).

SECTION 3. Tennessee Code Annotated, Section 39-17-1359, is amended by deleting the section in its entirety and substituting instead the following:

(a)

(1) An individual, corporation, business entity or local, state or federal government entity or agent thereof is authorized to prohibit the possession of weapons by any person who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity or government entity.

(2) The prohibition in subdivision (1) shall apply to any person who is authorized to carry a firearm by authority of § 39-17-1351.

(b)

(1) Notice of the prohibition permitted by subsection (a) shall be accomplished by posting notices to be displayed in prominent locations, including all entrances primarily used by persons entering each building, or portion of the building or buildings, where weapon possession is prohibited.

(2) If the possession of weapons is also prohibited on the premises of the property as well as within the confines of a building located on the property, the notice shall be posted at all entrances to the premises that are primarily used by persons entering the property.

(3) The notice required by this section shall be in English, but a duplicate notice may also be posted in any language used by patrons, customers or persons who frequent the place where weapon possession is prohibited. In addition to, but not in lieu of, the sign set out in subdivision (4), notice may also include the international circle and slash symbolizing the prohibition of the item within the circle.

(4) The sign shall be of a size that is plainly visible to the average person entering the building, premises or property and shall contain the following language:

AS AUTHORIZED BY TCA § 39-17-1359, POSSESSION OF A  
WEAPON ON THIS PROPERTY, WITHIN THIS BUILDING, OR  
THE POSTED PORTION OF THIS BUILDING IS PROHIBITED.  
A VIOLATION IS A CRIMINAL OFFENSE PUNISHABLE BY A  
FINE OF \$500 AND POSSIBLE IMPRISONMENT.

(c)

(1) It is an offense to possess a weapon in a building or on property that is properly posted in accordance with this section.

(2) Possession of a weapon on posted property in violation of this section is a Class B misdemeanor punishable by fine only of five hundred dollars (\$500).

(d) Nothing in this section shall be construed to alter, reduce or eliminate any civil or criminal liability that a property owner or manager may have for injuries arising on their property.

(e) The provisions of this section shall not apply to title 70 regarding wildlife laws, rules and regulations.

(f) This section shall not apply to the grounds of any public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by the state, a county, a municipality or instrumentality thereof. The carrying of firearms in those areas shall be governed by § 39-17-1311.

(g) Any notice posted prior to the effective date of this act that is in substantial compliance with the provisions of this section as it existed prior to the effective date of this act shall remain valid and in full force and effect until October 1, 2010. After such date, property must be posted in accordance with the provisions of this section to prohibit the possession of weapons on the posted property.

SECTION 4. Tennessee Code Annotated, Section 39-17-1351, is amended by inserting the following between the fourth and fifth sentences of subsection (e):

Beginning September 1, 2010, and thereafter, a component of the classroom portion of all department approved handgun safety courses shall be instruction on alcohol and drugs, the effects of those substances on a person's reflexes, judgment and ability to safely handle a firearm, and the provisions of § 39-17-1321.

SECTION 5. Tennessee Code Annotated, Section 57-3-204, is amended by deleting subsection (e) in its entirety.

SECTION 6. Tennessee Code Annotated, Section 57-4-203, is amended by deleting subsection (k) in its entirety.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.